

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

UNITED STATES OF AMERICA, ON )  
BEHALF OF THE NATIONAL OCEANIC )  
AND ATMOSPHERIC )  
ADMINISTRATION AND THE UNITED )  
STATES DEPARTMENT OF THE )  
INTERIOR; THE STATE OF )  
WASHINGTON THROUGH THE )  
WASHINGTON DEPARTMENT OF )  
ECOLOGY; MUCKLESHOOT INDIAN )  
TRIBE; SUQUAMISH TRIBE, )  
Case No. 21-44 )  
NOTICE OF LODGING )  
CONSENT DECREE )  
Plaintiffs, )  
v. )  
VIGOR INDUSTRIAL LLC, and )  
EXXON MOBIL CORPORATION, )  
Defendants. )

1 Concurrent with the filing of the Complaint, the United States hereby lodges with the  
2 Court, on behalf of all of the parties to this case, a proposed Consent Decree resolving the claims  
3 alleged in the Complaint. The proposed Consent Decree is attached to this Notice of Lodging as  
4 Attachment A.

5 Pursuant to 28 C.F.R. § 50.7, the decree cannot be entered by the Court until there has  
6 been an opportunity for public comment on it. Once the decree has been lodged, the United  
7 States must publish in the Federal Register a notice of the lodging of the decree. The public will  
8 be given 30 days to comment on the decree. Once the 30-day comment period has expired, the  
9 Plaintiffs may then initiate entry of the decree. If the Plaintiffs initiate entry of the decree, they  
10 will provide to the Court a response to any public comments received.

11 Accordingly, the United States requests that the Court take no action on the Consent  
12 Decree at this time. After expiration of the comment period, the Plaintiffs will initiate entry of  
13 the decree, if appropriate in light of public comments, and will inform the Court of any public  
14 comments and the Plaintiffs' responses to the comments.

15 Dated: January 14, 2021

16 UNITED STATES OF AMERICA

17 /s Erika M. Wells  
18 ERIKA M. WELLS  
19 Senior Counsel  
20 Environmental Enforcement Section  
21 Environment & Natural Resources Division  
22 U.S. Department of Justice, c/o NOAA  
23 7600 Sand Point Way, NE  
24 Seattle, Washington 98115  
25 (206) 526-6608  
26  
27  
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NOTICE OF LODGING  
CONSENT DECREE

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U. S. DEPARTMENT OF JUSTICE  
Environment and Natural Resources Division  
7600 Sand Point Way NE  
Seattle, WA 98115

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 14, 2021, a copy of the foregoing, NOTICE OF LODGING CONSENT DECREE, was served by the Court's CM/ECF system upon all persons registered to receive filings in this matter. In addition, I served a copy via electronic mail to the following counsel:

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s/ Erika M. Wells